

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<i>In re</i>	:	X	Chapter 11
	:		
WASHINGTON MUTUAL, INC., <i>et al.</i> , <sup>1</sup>	:		Case No. 08-12229 (MFW)
	:		
<i>Debtors.</i>	:		Jointly Administered
	:		
<hr/>			
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION,	:		
	:		
<i>Plaintiff,</i>	:		
	:		
v.	:		
	:		
WASHINGTON MUTUAL, INC. AND WMI INVESTMENT CORP.,	:		Adv. Proc. No. 09-50551 (MFW)
	:		
<i>Defendants for all claims,</i>	:		<b>Oral Argument Requested</b>
	:		
-and-	:		
	:		
FEDERAL DEPOSIT INSURANCE CORPORATION,	:		
	:		
<i>Additional Defendant for Interpleader Claim.</i>	:		
	:		
	:	X	
<hr/>			
(Caption continued on next page)			

<sup>1</sup> Debtors in these chapter 11 cases and the last four digits of each Debtor's federal tax identification numbers are: (a) Washington Mutual, Inc. (3725); and (b) WMI Investment Corp. (5395). Debtors continue to share their principal offices with the employees of JPMorgan Chase located at 1301 Second Avenue, Seattle, Washington 98101.

WASHINGTON MUTUAL, INC. AND  
WMI INVESTMENT CORP.,

*Plaintiffs,*

V.

JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION,

*Defendant.*

[illegible]

Adv. Proc. No. 09-50934 (MFW)

### Oral Argument Requested

**JPMORGAN CHASE BANK, N.A.'S NOTICE OF APPEAL**

**Robert A. Sacks**  
**Hydee R. Feldstein**  
**SULLIVAN & CROMWELL LLP**  
**1888 Century Park East**  
**Los Angeles, California 90067**  
**Telephone: (310) 712-6600**

Adam G. Landis (No. 3407)  
Matthew B. McGuire (No. 4366)  
LANDIS RATH & COBB LLP  
919 Market Street Suite 1800  
Wilmington, Delaware 19899  
Telephone: (302) 467-4400

Bruce E. Clark  
Stacey R. Friedman  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: (212) 558-4000

*Counsel for JPMorgan Chase Bank,  
National Association*

Dated: July 10, 2009

**JPMORGAN CHASE BANK, N.A.'S NOTICE OF APPEAL**

Pursuant to 28 U.S.C. § 158(a)(1), JPMorgan Chase Bank, National Association ("JPMC"), by and through its undersigned counsel, hereby appeals pursuant to the collateral order doctrine and, in the alternative, is moving the United States District Court for the District of Delaware pursuant to 28 U.S.C. § 158(a)(3) and Rule 8003 of the Federal Rules of Bankruptcy Procedure for leave to appeal, from the following orders of the United States Bankruptcy Court for the District of Delaware, entered on the 6th day of July, 2009 (collectively, the "Orders"):

- Order Denying Motion to Dismiss Adversary Proceeding Filed by JPMorgan Chase Bank, National Association (Adv. Proc. No. 09-50934 (MFW), Docket Item No. 64);
- Order Denying (A) Motion of Defendant JPMorgan Chase Bank, N.A. to Stay and (B) Motion of Intervenor-Defendant Federal Deposit Insurance Corporation, as Receiver, to Stay or Dismiss Adversary Proceeding (Adv. Proc. No. 09-50934 (MFW), Docket Item No. 62);
- Order Denying Motion of Federal Deposit Insurance Corporation, as Receiver, to Stay Adversary Proceeding (Adv. Proc. No. 09-50551 (MFW), Docket Item No. 68).

JPMC intends to take a single appeal from the three Orders insofar as each of these Orders is based on the Bankruptcy Court's determination that the jurisdictional bar imposed by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Pub. L. No. 101-73, 103 Stat. 183 (1989), codified in relevant part at 12 U.S.C. § 1821(d)(13)(D), does not divest the Bankruptcy Court of jurisdiction over the claims raised in the above-captioned adversary proceedings.

The names of all parties to the Orders appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

***JPMorgan Chase Bank, National Association***

Adam G. Landis  
Matthew B. McGuire  
LANDIS RATH & COBB LLP  
919 Market Street Suite 1800  
Wilmington, Delaware 19899  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450

Robert A. Sacks  
Hydee R. Feldstein  
SULLIVAN & CROMWELL LLP  
1888 Century Park East  
Los Angeles, California 90067  
Telephone: (310) 712-6600  
Facsimile: (310) 712-8800

Bruce E. Clark  
Stacey R. Friedman  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: (212) 558-4000  
Facsimile: (212) 558-3588

***Washington Mutual, Inc. and WMI Investment Corp.***

Rafael X. Zahralddin-Aravena  
Neil R. Lapinski  
Shelley A. Kinsella  
ELLIOTT GREENLEAF  
1105 North Market Street, Suite 1700  
Wilmington, Delaware 19801  
Telephone: (302) 384-9400  
Facsimile: (302) 384-9399

Peter E. Calamari  
Michael B. Carlinsky  
Susheel Kirpalani  
David Elsberg  
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
51 Madison Avenue  
New York, New York 10010  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100

***Federal Deposit Insurance Corporation (as Receiver)***

Robert S. Brady  
M. Blake Cleary  
Jaime N. Luton  
YOUNG CONAWAY STARGATT & TAYLOR, LLP  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, Delaware 19801  
Telephone: (302) 655-5000  
Facsimile: (302) 658-6395

Thomas R. Califano  
John J. Clarke, Jr.  
DLA Piper LLP (US)  
1251 Avenue of the Americas  
New York, New York 10020  
Telephone: (212) 335-4500  
Facsimile: (212) 335-4501

***Official Committee of Unsecured Creditors of Washington Mutual, Inc. and WMI Investment Corp.***

David B. Stratton  
Evelyn J. Meltzer  
John Henry Schanne, II  
PEPPER HAMILTON LLP  
Hercules Plaza, Suite 5100  
1313 North Market Street  
Wilmington, Delaware 19801  
Telephone: (302) 777-6500  
Facsimile: (302) 421-8390

Laurence Z. Shiekman  
Elizabeth S. Campbell  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
18th & Arch Streets  
Philadelphia, Pennsylvania 19103  
Telephone: (212) 981-4000  
Facsimile: (215) 981-4750

The following are not parties to the orders appealed from, but they will receive copies of this Notice of Appeal:

***Federal Deposit Insurance Corporation (in Its Corporate Capacity)***

Dorothy Ashley Doherty  
3503 North Fairfax Drive  
VS-D7022  
Arlington, Virginia 22226-3500  
Telephone: (703) 562-2377  
Facsimile: (703) 562-2477

***Ad Hoc Committee of Dime Savings Umbrella Trust Beneficiaries and Trust Committee***

Kurt F. Gwynne  
Mark W. Eckard  
REED SMITH LLP  
1201 Market Street, Suite 1500  
Wilmington, Delaware 19801  
Telephone: (302) 778 7500  
Facsimile: (302) 778-7575

J. Andrew Rahl  
James M. Andriola  
REED SMITH LLP  
599 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 521-5400  
Facsimile: (212) 521-5450


***Washington Mutual, Inc. Noteholders Group***

Jeffrey M. Schlerf  
Eric M. Suttty  
FOX ROTHSCCHILD LLP  
919 North Market Street, Suite 1600  
Wilmington, Delaware 19801  
Telephone: (302) 654-7444  
Facsimile: (302) 656-8920

David S. Rosner  
Adam L. Shiff  
Paul M. O'Connor III  
Seth A. Moskowitz  
KASOWITZ BENSON TORRES & FRIEDMAN LLP  
1633 Broadway  
New York, New York 10019  
Telephone: (212) 506-1700  
Facsimile: (212) 506-1800

Dated: July 10, 2009  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

  
Adam G. Landis (No. 3407)  
Matthew B. McGuire (No. 4366)  
919 Market Street Suite 1800  
Wilmington, Delaware 19899  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450

– and –

Robert A. Sacks  
Hydee R. Feldstein  
SULLIVAN & CROMWELL LLP  
1888 Century Park East  
Los Angeles, California 90067  
Telephone: (310) 712-6600  
Facsimile: (310) 712-8800

Bruce E. Clark  
Stacey R. Friedman  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: (212) 558-4000  
Facsimile: (212) 558-3588

*Counsel for JPMorgan Chase Bank,  
National Association*